

**Calendar No. 269**

103D CONGRESS  
1ST SESSION

**H. R. 3350**

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**AN ACT**

To establish a program of residential substance  
abuse treatment within Federal prisons.

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NOVEMBER 4 (legislative day, NOVEMBER 2), 1993

Received; read twice and placed on the calendar

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103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R. 3350**

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4 (legislative day, NOVEMBER 2), 1993

Received; read twice and placed on the calendar

**AN ACT**

To establish a program of residential substance abuse  
treatment within Federal prisons.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SUBSTANCE ABUSE TREATMENT IN FEDERAL**  
4 **PRISONS.**

5 Section 3621 of title 18, United States Code, is  
6 amended—

7 (1) in the last sentence of subsection (b), by  
8 striking “, to the extent practicable,”; and

9 (2) by adding at the end the following new sub-  
10 section:

11 “(e) SUBSTANCE ABUSE TREATMENT.—

1           “(1) PHASE-IN.—In order to carry out the re-  
2           quirement of the last sentence of subsection (b) of  
3           this section, that every prisoner with a substance  
4           abuse problem have the opportunity to participate in  
5           appropriate substance abuse treatment, the Bureau  
6           of Prisons shall provide substance abuse treat-  
7           ment—

8                   “(A) for not less than 50 percent of eligi-  
9                   ble prisoners by the end of fiscal year 1995,  
10                  with priority for such treatment accorded based  
11                  on an eligible prisoner’s proximity to release  
12                  date;

13                  “(B) for not less than 75 percent of eligi-  
14                  ble prisoners by the end of fiscal year 1996,  
15                  with priority for such treatment accorded based  
16                  on an eligible prisoner’s proximity to release  
17                  date; and

18                  “(C) for all eligible prisoners by the end of  
19                  fiscal year 1997 and thereafter, with priority  
20                  for such treatment accorded based on an eligi-  
21                  ble prisoner’s proximity to release date.

22           “(2) INCENTIVE FOR PRISONERS’ SUCCESSFUL  
23           COMPLETION OF TREATMENT PROGRAM.—

24                   “(A) GENERALLY.—Any prisoner who, in  
25                  the judgment of the Director of the Bureau of

1 Prisons, has successfully completed a program  
2 of residential substance abuse treatment pro-  
3 vide under paragraph (1) of this subsection,  
4 shall remain in the custody of the Bureau for  
5 such time (as limited by subparagraph (B) of  
6 this paragraph) and under such conditions, as  
7 the Bureau deems appropriate. If the conditions  
8 of confinement are different from those the  
9 prisoner would have experienced absent the suc-  
10 cessful completion of the treatment, the Bureau  
11 shall periodically test the prisoner for substance  
12 abuse and discontinue such conditions on deter-  
13 mining that substance abuse has recurred.

14 “(B) PERIOD OF CUSTODY.—The period  
15 the prisoner remains in custody after success-  
16 fully completing a treatment program shall not  
17 exceed the prison term the law would otherwise  
18 require such prisoner to serve, but may not be  
19 less than such term minus one year.

20 “(3) REPORT.—The Bureau of Prisons shall  
21 transmit to the Committees on the Judiciary of the  
22 Senate and the House of Representatives on Janu-  
23 ary 1, 1995, and on January 1 of each year there-  
24 after, a report. Such report shall contain—

1           “(A) a detailed quantitative and qualitative  
2           description of each substance abuse treatment  
3           program, residential or not, operated by the  
4           Bureau;

5           “(B) a full explanation of how eligibility  
6           for such programs is determined, with complete  
7           information on what proportion of prisoners  
8           with substance abuse problems are eligible, and

9           “(C) a complete statement of to what ex-  
10          tent the Bureau has achieved compliance with  
11          the requirements of this title.

12          “(4) AUTHORIZATION OF APPROPRIATIONS.—  
13          There are authorized to be appropriated in each fis-  
14          cal year such sums as may be necessary to carry out  
15          this subsection.

16          “(5) DEFINITIONS.—As used in this sub-  
17          section—

18                 “(A) the term ‘residential substance abuse  
19                 treatment’ means a course of individual and  
20                 group activities, lasting between 6 and 12  
21                 months, in residential treatment facilities set  
22                 forth from the general prison population—

23                         “(i) directed at the substance abuse  
24                         problems of the prisoner; and

“(ii) intended to develop the prisoner’s cognitive, behavioral, social, vocational, and other skills so as to solve the prisoner’s substance abuse and related problems; and

6 “(B) the term ‘eligible prisoner’ means a  
7 prisoner who is—

8                                   “(i) determined by the Bureau of  
9                                   Prisons to have a substance abuse prob-  
10                                   lem; and

11                   “(ii) willing to participate in a resi-  
12                   dential substance abuse treatment pro-  
13                   gram.”.

Passed the House of Representatives November 3, 1993.

Attest: DONNALD K. ANDERSON,  
*Clerk.*